

C-O-N-F-I-D-E-N-T-I-A-L

DCID No. _____
(New Series)

DRAFT NO. 1

DIRECTOR OF CENTRAL INTELLIGENCE DIRECTIVE NO. _____¹SUBJECT: Control of Dissemination and Use of Intelligence
and Intelligence Information

Pursuant to the provisions of NSCID No. 1 (New Series, 15 September 1958), paragraph 2 (a) (5), and paragraph 5, and for the purpose of protecting intelligence, intelligence information,² and intelligence sources and methods from unauthorized disclosure, the following procedures are established to uniformly control the dissemination and use of intelligence and intelligence information.

1. The basic control for the safeguarding of classified information is established by Executive Order 10501. Section 7 (c) of Executive Order 10501 stipulates that defense information originating in a department or agency will not be disseminated outside another receiving agency without permission of the originating agency, except as provided in Section 102 of the National Security Act of 1947, as amended. In order, however, for the Intelligence Community³ to discharge its responsibilities more effectively, each member agency, through its central processing facility, may reproduce documents containing intelligence and intelligence information originally issued by another; and such information may be disclosed to other USIB agencies if the documents

¹This Directive supersedes DCID No. 11/2 of 11/15/54.

²Intelligence information is defined as that information collected for intelligence purposes which has not been evaluated by comparison with the existing body of knowledge on the subject reported upon.

³The Intelligence Community includes the Central Intelligence Agency; the intelligence components of the Departments of State, Defense, Army, Navy and Air Force, and of the Joint Staff (JCS); the Federal Bureau of Investigation; the Atomic Energy Commission; and the National Security Agency.

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were otherwise generally made available to them. There are certain categories of documents which because of classification and markings may not be reproduced and disseminated under this provision. The Committee on Documentation of the USIB shall define for the Intelligence Community those categories of documents that are subject to this prohibition.

2. The policy of release of classified defense information to foreign governments is established by the Presidential Directive of 23 September 1958, "Basic Policy Governing the Release of Classified Defense Information to Foreign Governments." In accordance with the Presidential Directive, documents originating in another agency containing classified intelligence and intelligence information will not be disseminated by recipient departments or agencies to any foreign government¹ without the consent of the originator.

3. The dissemination and use of intelligence and intelligence information will, at all times, be controlled by the policy of "need-to-know".

4. The standardization of the control stamps and the procedures set forth in this Directive are to be uniformly employed by all departments and agencies in the Intelligence Community thereby assuring like control and use of intelligence and intelligence information disseminated within the departments and agencies represented on the United States Intelligence Board. The substance of this Directive will be published in the appropriate regulation or notice media of each agency or department.

5. PUBLIC RELEASE OF CLASSIFIED INTELLIGENCE AND INTELLIGENCE INFORMATION. Intelligence and intelligence information will not be released, either orally or in writing, to the public, including private individuals, groups, or organizations, unless there has been a clear determination by responsible authorities that such release would be in the security and intelligence interests of the United States.

¹ For the purpose of this Directive, foreign governments shall include foreign nationals and immigrant aliens even though they are used, integrated or employed by the United States Government.

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(a) Where the intelligence or intelligence information to be released to the public has been originated by another agency or department, the releasing agency will obtain the permission of the originator prior to any release.

(b) Where the intelligence or intelligence information to be released to the public is a composite of intelligence or a part of a joint or combined collection effort in furtherance of a community project, the releasing agency will obtain the permission of the USIB even though the information involved may be limited to that collected by the releasing agency.

(c) No public release will be made until the material to be released has been reviewed by the appropriate intelligence authorities for the specific purpose of ensuring that there will be no revelation of intelligence sources or methods.

(d) Each member department and agency of the U. S. Intelligence Board shall establish internal procedures and controls to assure that the public release of intelligence information is in conformity with these principles.

6. Whenever an originating department or agency deems it necessary to provide special controls for intelligence or intelligence information, either by virtue of the substance of the information itself and/or to provide additional protection to intelligence sources and methods, the appropriate control stamp or stamps will be placed upon the document. Any document disseminated or used within the Intelligence Community or outside the Intelligence Community and bearing one or more of the control stamps set forth in this Directive will be carefully controlled by all recipients in

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strict conformity with requirements and restrictions of this Directive. Oral disclosures of information are to be in conformity with the intent and requirements of this Directive.

7. In accordance with paragraph 6, the following control stamps will be used for the marking of intelligence and intelligence information.

INTELLCOM CONTROL

This marking stamp will normally be employed to control sensitive intelligence and intelligence information which because of (a) the substance of the information itself, and (b) the necessity to protect sensitive intelligence sources and methods, must be maintained within the professional staff of the Intelligence Community and the senior echelons of government in order to provide adequate protection and control of information.

Document: Dissemination of the document is limited to staff officials of the Intelligence Community, and to those higher echelons and their immediate supporting staffs of the departments and agencies represented on the USIB, who must necessarily deal with and act upon community intelligence. The document shall not be disseminated to consultants, reserve personnel on short-term active duty, external projects, or personnel and organizations under a contractual relationship to the United States Government.

Use: The information may be used in finished intelligence¹ without carrying over the control marking. If the information is quoted, extracted, or summarized

¹ Finished intelligence is defined as a comprehensive study which takes cognizance of all available information and is intended to provide the reader with the best available estimate of status or trend for a particular area or subject.

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in digests and summaries¹ then the control marking shall carry over on the dissemination of such digests and summaries.

NO DISSEM ABROAD

This marking will normally be employed in order to provide additional control and protection of the information by preventing its dissemination outside the States of the United States.

Document: The document shall not be disseminated outside the States of the United States.

Use: The information may be used in finished intelligence without carrying over the control marking. If the information is quoted, extracted, or summarized in digests and summaries then the control marking shall carry over on the dissemination of such digests and summaries.

BACKGROUND USE ONLY

Intelligence information which, because of its peculiar sensitivity, is not to be included in any intelligence or other document. This marking is intended solely to control the use of the information.

Document: This marking does not affect the dissemination of the document.

Use: The information is not to be included in any other intelligence document or publication.

Release of Intelligence and Intelligence Information to Foreign Governments

For the purpose of facilitating the proper flow of intelligence and intelligence information to foreign governments, the following markings and requirements

¹Digests and summaries are defined as collections of evaluated current intelligence information accompanied by the evaluating office's comments, or collections of short evaluated articles each dealing with a separate subject which are intended to inform readers about current situations.

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are established to clearly define the difference between the dissemination of documents as such and the use of intelligence information contained in the documents.

Document:

a. As in paragraph 2 of this Directive, no document originating in another Agency may be disseminated by a recipient agency to a foreign government without the express permission of the originator.

b. Whenever the originator has determined that a document may be released to one or more foreign governments, the document will be marked only with the control marking, as example: [REDACTED]

25X1C

25X1C

Use:

NOFORN

This marking applies only to the use of the information in the document and represents a predetermination by the originator that the information in the document is not to be disclosed to foreign governments in any manner.

a. Foreign Governments

As above the information in a document marked "NOFORN" is not to be disclosed to foreign governments in any manner.

b. In Other Documents

Use of this information in any other document must carry over the control marking "NOFORN".

c. To Certain Foreign Governments

Whenever the originator has determined that the information may be disclosed to one or more foreign governments, the control marking

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25X1C

"NOFORN" may be modified by adding, as example: [REDACTED]

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[REDACTED] or other clear and appropriate modification.

d. In Finished Intelligence

The information in any document not bearing the control marking "NOFORN" may be used in finished intelligence but not in digests and summaries which may be subsequently disseminated to foreign governments as the producer of the finished intelligence deems appropriate and necessary, provided, however, that the information is used in a manner which conceals the originating agency, the source, the place acquired and any indication of the method of acquisition.

8. Any recipient agency or department desiring to use, quote, extract, summarize, or disseminate a document marked with a control in a manner not permitted by the limitation of that control stamp, must obtain the permission of the originating agency. Permission from the originating agency to utilize, in whole or part, any intelligence or intelligence information in a manner other than specified by the control markings applies only to the specific purpose of the requestor and does not automatically apply to all recipients of the information as originally disseminated, unless the originating agency removes the control marking for the benefit of all recipients.

9. The principles and procedures for the citation of source documents will be defined for the Intelligence Community by the Committee on Documentation of the USIB, provided that such documentation of classified documents shall not be released to foreign governments without the express permission of the originating agencies.

10. Any questions with respect to the dissemination and use of a document bearing a control marking will be referred to the originating agency.

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11. These control markings and procedures do not supersede nor affect the special controls for the dissemination and use of special and atomic intelligence nor do they affect special indicators utilized by the various departments and agencies for established distribution of material. In addition, these markings and procedures do not affect other control measures established by the various departments and agencies for information subject to laws concerning copyright, libel, slander, and communications, nor other information which for moral, ethical, or legal reasons must be protected by other control measures.

12. The limited resources of certain member agencies of the United States Intelligence Board has required the use of contractual services in order to carry out their intelligence missions. For the purposes of this Directive and by agreement of the departments and agencies represented by membership on the USIB, certain classified intelligence and intelligence information and material may be made available by recipient agencies to intelligence contractors without referral to the originating agency, when such contracts are in direct support of the intelligence mission and in accordance with the following:

a. Intelligence contractors are defined as private organizations, institutions, or organized groups which under a United States Government contract are performing classified services of an intelligence nature in direct support of the intelligence mission of an agency or department member of the United States Intelligence Board.

b. Classified intelligence, intelligence information and material which may be made available to intelligence contractors is defined as that information and material (a) which is not above the classifi-

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cation of Secret, and (b) does not carry restrictive markings or controls prohibiting release to contractors.

c. Certain categories of information, including intelligence sources and methods which are not releasable to contractors, will be defined for the Intelligence Community by the Committee on Documentation of the USIB.

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